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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,370	06/19/2001	Koichi Ohto	SON-0505US	1071

466 7590 12/20/2002

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EXAMINER

ERDEM, FAZLI

ART UNIT	PAPER NUMBER
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2826

DATE MAILED: 12/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,370

Applicant(s)

OHTO ET AL.

Examiner

Fazli Erdem

Art Unit

2826

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-15 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Allowable Subject Matter

1. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 and 10-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Hasegawa et al. (6,383,907) in view of Mori et al. (6,335,570)

Regarding Claim 1, Figs. 1A-1C show interlayer insulating films 52, 54 and 12, and copper wirings 53. Interlayer insulating layers 54 and 12 constitute a silicon nitride diffusion preventing insulating layer and a silicon dioxide insulating layer respectively. Interlayer insulating layers 12 and 54 are multilayers.

Regarding Claim 2, in Figs. 1A-1C interlayer insulating films 54 and 12 may be deposited by CVD according to the inventor.

Regarding Claims 3, in Figs. 1A-1C diffusion preventing layer 54 is deposited at temperatures lower than 350 and insulating layer 12 deposited at temperatures between 300-400.

Regarding Claims 4,5, and 6, the thickness of layer 54 is kept low in order to have better sticking properties.

Regarding Claim 7 and 8, layer 54 is silicon nitride.

Regarding Claims 10 and 11, Hasegawa et al. disclose a process for fabricating a semiconductor device where interlayer insulating layers are multiplayer structure and contain diffusion preventing layer 54 made of silicon nitride and layers 12 made of silicon dioxide. The wirings are copper and deposited with damascene process.

Regarding Claim 12, Hasegawa et al. disclose a process for fabricating a semiconductor device with multilayer insulating layers and diffusion preventing insulating layers where the interlayer insulating layer of silicon dioxide is deposited with CVD at temperatures between 300-400 and the silicon nitride diffusion preventing layer deposited temperatures lower than 350.

Regarding Claims 13-15, Hasegawa et al. disclose a process for fabricating a semiconductor device with multilayer insulating layers and diffusion preventing insulating layers where the thickness of the diffusion preventing layer 54 is kept low in order to have a better sticking properties.

Regarding Claims 1-8 and 10-15, Hasegawa et al. disclose all the claimed subject matter except a multi-layered diffusion preventive insulating structure. However, Mori et al. disclose a semiconductor device and manufacturing method thereof where the multi-layered diffusion preventive insulating structure is disclosed.

It would have been obvious to one of having ordinary skill in the art at the time the invention was made to include the multi-layered diffusion preventive insulating layer in

Hasegawa et al. as taught by Mori et al. in order to have a semiconductor structure with better reliability and better insulating characteristics.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fazli Erdem whose telephone number is (703) 305-3868. The examiner can normally be reached on M - F 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (703) 308-6601. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

FE
December 13, 2002


NATHAN J. FLYNN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800